Receipt date: 10/03/2005

## 107552361361<sup>U: 2112</sup> JC05 Rec'd PCT/PTO 03 OCT 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Ralf PLAUMANN et al.	
Application No.:	Not yet assigned.	Group Art Unit: Not yet assigned
Filed:	October 3, 2005	Examiner: Not yet assigned
Attorney Docket No.: Client Docket No.:	01012-1029 P28020/US	

For: METHOD AND MEASURING DEVICE FOR DETERMINING AN ERROR RATE WITHOUT INCREMENTAL REDUNDANCY

Assistant Commissioner for Patents Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted:

Under 37 CFR § 1.97(b): (1) Within three months of filing of national application; (2) Within three months of date of entry of the national stage as set forth in § 1.491 in an international application; (3) Before mailing of a first Office action on the merits; or (4) Before mailing of a first Office action after the filing of a request for continued examination under § 1.114.
Under 37 CFR § 1.97(c): After the period specified in § 1.97(b) but before the mailing date of either a final action under § 1.113 or a notice of allowance under § 1.311, whichever occurs first, and accompanied by either:  (1) A statement under § 1.97(e) as set forth below, or (2) A \$240.00 fee under 37 CFR 1.17(p).
Under 37 CFR § 1.97(d): After the period specified in § 1.97(c) but on or before payment of the issue fee, and accompanied by:  (1) A statement under § 1.97(e) as set forth below,  (2) A petition requesting consideration of the IDS, and  (3) A \$130.00 petition fee set forth in 37 CFR 1.17(i)(1).

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Statement under 35 CFR § 1.97(e):

$\boxtimes$	Not necessary, because this IDS is filed under § 1.97(b) or § 1.97(c)(2).
	Each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
	No item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in § 1.56(c) more than three months prior to the filing of this IDS.

Form PTO 1449–Information Disclosure Citation is attached with copies of patents, publications, or other information of which Applicants are aware, which may be material to the examination of this application, and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

It is requested that the information disclosed herein be considered and made of record in this application.

Respectfully submitted,

DITTHAVONG & CARLSON, P.C.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Alexandria, VA 22313-1450.

Date of Deposit: October

Date of Deposit. October

Signature:

Typed or Printed Name: Sera Cho

Phouphanomketh Ditthavong Attorney/Agent for Applicant(s)

Reg. No. 44658

Date: October 3, 2005

Telephone No.: (703) 425-8508

Receipt date: 10/03/2005

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Substit	ute for form 1449A/P	то		Complete if Known		
				Application Number	Not yell assigned E 2 Z L 4	
INF	ORMATION I	DIS	CLOSURE	Filing Date	October 3, 2005	
STATEMENT BY APPLICANT				First Named Inventor	Ralf PLAUMANN et al.	
				Group Art Unit	Not yet assigned	
	(use as many sheets	s as n	ecessary)	Examiner Name	Not yet assigned	
Sheet	1	of	1	Attorney Docket Number	01012-1029	

	U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	U.S. Patent Document  Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		2002/0053058 A1		LEE et al	05-02-2002		
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	FOREIGN PATENT DOCUMENTS							
		Foreign Patent Document				Date of Publication of	Pages, Columns, Lines,	$\top$
Examiner Initials*	Cite No. <sup>1</sup>	Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Where Relevant Passages or Relevant Figures Appear	τ•
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Examiner	/Sam Rizk/	Date	/S.R./ 12/19/2008
Signature		Considered	L

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /S.R./

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁴Applicant is to place a check mark here if English language Translation is attached.